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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/640,627	08/14/2003	Brad Grossman	1875.4580000	8449
26111	7590	03/01/2007		EXAMINER
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005				HOFFMAN, BRANDON S
			ART UNIT	PAPER NUMBER
				2136
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/01/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/640,627	GROSSMAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brandon S. Hoffman	2136	

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 14 August 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-26 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 14 August 2003 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. \_\_\_\_ .  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_ .  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_ .

**DETAILED ACTION**

1. Claims 1-26 are presented for examination.

***Specification***

2. The disclosure is objected to because of the following informalities: on page 10, paragraph 0032, figure 3, reference numbers 350A-350G should be 305A-305G to correspond to the drawings.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 8, 12, 17, 23, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Regarding claims 8, 12, 17, 23, and 24, the trademark name "MACROVISION" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-6, 9-11, 13-16, 18-22, 25, and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Ohara et al. (U.S. Patent No. 5,694,588).

Regarding claim 1, Ohara et al. teaches a timing generator for use within a video processing device, comprising:

- A random access memory (col. 5, lines 4-22);
- A plurality of microsequencers coupled to said random access memory that produce flags based on programs stored in said random access memory (col. 4, lines 16-26 and col. 12, lines 36-60); and
- A programmable combinational logic module, coupled to said plurality of microsequencers that generates control signals based on the flags produced by said plurality of microsequencers (col. 13, lines 33-47).

Regarding claim 2, Ohara et al. teaches further comprising a plurality of shift registers, coupled to said plurality of microsequencers that provide operating parameters to said plurality of microsequencers (col. 12, lines 54-60).

Regarding claim 3, Ohara et al. teaches further comprising a means for downloading software changes to said timing generator while said timing generator is processing a video signal without substantial interference to a video signal being processed (fig. 10).

Regarding claims 4 and 15, Ohara et al. teaches further comprising an instruction set that enables said plurality of microsequencers to share said random access memory (col. 5, lines 10-16).

Regarding claim 5, Ohara et al. teaches wherein said plurality of microsequencers includes between two and ten microsequencers (fig. 14, ref. num 370).

Regarding claim 6, Ohara et al. teaches wherein said plurality of microsequencers includes seven microsequencers (fig. 14, ref. num 370).

Regarding claim 9, Ohara et al. teaches wherein said video processing device is a television (col. 4, line 27).

Regarding claim 10, Ohara et al. teaches wherein said video processing device is a cable set-top box (col. 4, lines 3-26).

Regarding claim 11, Ohara et al. teaches a video processing system, comprising:

- A video input interface (fig. 1, ref. num 106);

- A video decoder coupled to said video input interface (fig. 1, ref. num 124);
- A video and graphics processor coupled to said video decoder (fig. 1, ref. num 102);
- A video encoder coupled to said video and graphics processor (fig. 1, ref. num 116); and
- A video output interface coupled to said video encoder, wherein said video encoder includes a timing generator (fig. 1, ref. num 112).

Regarding claim 13, Ohara et al. teaches wherein said video processing system has been implemented on a single integrated circuit (col. 4, lines 3-8).

Regarding claim 14, Ohara et al. teaches a method for generating a time-dependent control signal for video signals, comprising the steps of:

- Storing a plurality of programs within a random access memory (col. 5, lines 4-22);
- Accessing a plurality of programs stored within the random access memory (col. 7, lines 63-66);
- Executing a set of programs from said plurality of programs by a plurality of microsequencers to generate a set of flags (col. 4, lines 16-26 and col. 12, lines 36-60);
- Generating a control signal based on the set of flags through application of programmable controlled logic (col. 13, lines 33-47); and
- Outputting said control signal (fig. 14, ref. num 432).

Regarding claim 16, Ohara et al. teaches wherein the step of executing is completed in parallel by a plurality of microsequencers (fig. 14, ref. num 370).

Regarding claim 18, Ohara et al. teaches wherein the control signal is a horizontal sync control signal (col. 4, lines 38-41).

Regarding claim 19, Ohara et al. teaches wherein the control signal is an external horizontal sync control signal (col. 4, lines 38-41).

Regarding claim 20, Ohara et al. teaches wherein the control signal is an external vertical sync control signal (col. 4, lines 38-41).

Regarding claim 21, Ohara et al. teaches wherein the control signal is a vertical blanking active control signal (col. 6, lines 1-5).

Regarding claim 22, Ohara et al. teaches wherein the control signal is a color burst control signal (col. 4, lines 38-41).

Regarding claim 25, Ohara et al. teaches wherein the control signal is a vertical sync control signal (col. 4, lines 38-41).

Regarding claim 26, Ohara et al. teaches wherein the control signal is a vertical blank control signal (col. 6, lines 1-5).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 7, 8, 12, 17, 23, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohara et al. (USPN '588) in view of Kori (U.S. Patent No. 6,035,094).

Regarding claim 7, Ohara et al. does not teach that the control signal supports a copy protection process, more specifically a MACROVISION copy protection process. However, Kori teaches wherein said programmable combinational logic produces control signals that support a copy protection process (col. 1, lines 28-43).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine a MACROVISION copy protection process, as taught by Kori, with the generator of Ohara et al. It would have been obvious for such modifications because MACROVISION provides protection of video signals from being illegally copied.

Regarding claims 8, 12, and 17, Ohara et al. as modified by Kori teaches wherein the copy protection process is a MACROVISION copy protection process (see col. 1, lines 28-43 of Kori).

Regarding claim 23, Ohara et al. as modified by Kori teaches wherein the control signal is a U Flip control signal to generate MACROVISION color stripes (see fig. 14 of Kori).

Regarding claim 24, Ohara et al. as modified by Kori teaches wherein the control signal is a V Flip control signal to generate MACROVISION color stripes (see fig. 14 of Kori).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Bronola H.*  
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NASSER MOAZZAMI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

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2/27/07